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jc796 U.S. PTO

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Attorney Docket **P0378P3C6**
PATENT

EL 895 375 294 US: Express Mail Number	August 8, 2001: Date of Deposit
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11017 U.S. PTO
09/924857
08/08/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Donogh P. O'Brien
Gordon P. Vehar

Title: **METHOD AND THERAPEUTIC COMPOSITIONS FOR THE TREATMENT OF MYOCARDIAL INFARCTION**

1. Type of Application

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☒ continuation ☐ divisional application claiming priority to application Serial Number 08/476,837, filed 7 June 1995, which is a continuation of Serial No. 08/260,662 filed on 16 June 1994, which is a continuation of Serial No. 08/076,280 filed on 11 June 1993, which is a continuation of Serial No. 07/887,575 filed on 18 May 1992, which is a continuation-in-part of Serial No. 07/237,595 filed on 25 August 1988 which is a continuation-in-part of Serial No. 07/209,665 filed on 21 June 1988 which is a continuation-in-part of Serial No. 06/926,977 filed 4 November 1986 the entire disclosures of which are hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

- 41 pages of specification
- 3 pages of claims
- 1 page of abstract
- 9 sheets of formal drawings

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
___ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)
x A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)
___ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)
___ An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with attached Recordation Form Cover Sheet ☐ will follow.

(for cont./div.)
x The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

x Cancel in this application original claims 2-17 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

x A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119

___ Amend the specification by inserting before the first line the sentence:

--This is a

___ non-provisional application
___ continuation
___ divisional
___ continuation-in-part

of co-pending application(s)

___ Serial No. _ filed on __, which application(s) is(are) incorporated herein by reference and to

_____ which application(s) priority is claimed under 35 USC §120. --
_____ International Application _ filed on _ which designated the U.S., which application(s) is(are) incorporated herein by reference and to which application(s) priority is claimed under 35 USC §120.--
_____ provisional application No. _ filed _, the entire disclosure of which is hereby incorporated by reference and to which application(s) priority is claimed under 35 USC §119.--

6. **Fee Calculation (37 CFR 1.16)**
The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	1	- 20 =	0	X \$18.00	\$0.00
Independent Claims	1	- 3 =	0	X \$80.00	\$0.00
_____ Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$710.00

7. **Method of Payment of Fees**
The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$710.00. **A duplicate copy of this transmittal is enclosed.**
8. **Authorization to Charge Additional Fees**
The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**
9. **Additional Papers Enclosed**
☒ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449.
☐ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
☐ A new Power of Attorney or authorization of agent.
☐ Other:

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

_____ A petition, fee and/or response has been filed to extend the term in
the pending prior application until
_____ A copy of the petition for extension of time in the **prior** application
is attached.


11. Correspondence Address:

X Address all future communications to:

Attn: Jeffrey S. Kubinec

Respectfully submitted,
GENENTECH, INC.

Date: August 8, 2001

By: 
Jeffrey S. Kubinec
Reg. No. 36,575
Telephone No. (650) 225-8228



PATENT TRADEMARK OFFICE